

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (Previously Presented) A vessel harvesting device comprising:
  - a shaft;
  - a handle located on a proximal end of the shaft;
  - a dissection portion disposed at the distal end of the shaft, the dissection portion having first and second portions first and second portions defining a gap and together having a first opening and one or more second openings, the first portion having a first distal tip and the second portion having a second distal tip;
  - an actuator operatively connected to the dissection portion and adapted to reciprocate the first portion between a first configuration wherein the first distal tip is proximal the second distal tip and a second configuration wherein the first distal tip is distal the second distal tip, the dissection portion adapted such that reciprocation of the first portion between the first and second configurations facilitates the dissection of tissues surrounding a vessel that is disposed through at least a portion of the gap.
2. (Original) The vessel harvesting device as recited in claim 1, further comprising a lumen provided longitudinally in the shaft.
3. (Original) The vessel harvesting device as recited in claim 1, further comprising:
  - ligation means and transection means for ligating and transecting side branch vessels, respectively.
4. (Original) The vessel harvesting device as recited in claim 3, wherein the ligation means comprises at least one pair of bi-polar electrodes, each electrode being of a different polarity.

5. (Original) The vessel harvesting device recited in claim 4, further comprising a second pair of electrodes, one of said pairs of electrodes being offset to a first side from a centerline of the device and the second of said pairs of electrodes being offset to a second side from the centerline of the device.
6. (Original) The vessel harvesting device as recited in claim 4, further comprising energizing means for energizing at least one pair of the bi-polar electrodes with RF energy.
7. (Previously Presented) The vessel harvesting device as recited in claim 1, wherein the actuating means includes a preventing means for preventing one of the first and second portions from articulating relative to the other.
8. (Previously Presented) The vessel harvesting device of claim 3, wherein the transection means comprises at least one raised cutting means located on the one of the first and second portions, wherein the transection is caused by the reciprocation of the cutting means across a side branch vessel.
9. (Previously Presented) The vessel harvesting device of claim 1, wherein one of the first and second portions is biased against the other of the first and second portions for compression of tissue in a compression zone, thereby accommodating vessels of various thickness.
10. (Original) The vessel harvesting device of claim 1, further comprising a motor operative to articulate the actuator.
11. (Previously Presented) An apparatus for an endoscopic vessel harvesting device comprising:
  - a top portion rigidly attached to the endoscopic harvesting device;
  - a bottom portion connected to the endoscopic harvesting device by an articulated connection, the top portion defining a concave portion with an open side and the bottom portion adapted to at least partially cover the open side of the concave portion such that the top and bottom portions together surround a portion of the vessel;

a first opening in one of the top and bottom portions;  
one or more second openings in one of the top and bottom portions,  
wherein the first and second openings providing a pathway from the first opening,  
through the concave portion and exiting one of the one or more second openings; and  
wherein the top and bottom portions are adapted to dissect a vessel from its  
surrounding tissue by reciprocating the bottom portion relative to the top portion while  
traversing the length of the vessel.

12. (Original) The apparatus for an endoscopic vessel harvesting device as recited in claim 11,  
further comprising ligation means and transection means for ligating and transecting side branch  
vessels.

13. (Original) The apparatus for an endoscopic vessel harvesting device as recited in claim 12,  
wherein the ligation means comprises a least one pair of bi-polar electrodes, each electrode being  
of a different polarity.

14. (Original) The apparatus for an endoscopic vessel harvesting device as recited in claim 13,  
wherein the at least one pair of bi-polar electrodes comprises two pairs of electrodes one of said  
pairs of electrodes being offset to a first side from a centerline of the device and the second of  
said pairs of electrodes being offset to a second side from the centerline of the device.

15. (Original) The apparatus for an endoscopic vessel harvesting device as recited in claim 13,  
comprising energizing means for energizing the bi-polar electrodes with RF energy.

16. (Original) The apparatus for an endoscopic vessel harvesting device as recited in claim 11,  
wherein the transection means comprises at least one raised cutting means located on the bottom  
portion which is reciprocated relative to the top portion, wherein the transaction is caused by the  
reciprocation of the cutting means across a side branch vessel.

17. - 21. (Canceled)

22. (Currently Amended) An apparatus for an endoscopic vessel harvesting device comprising:

a top portion connected to the vessel harvesting device, the top portion being spoon shaped;

a bottom portion connected to the harvesting device, wherein at least one of the top and bottom portions is connected to the vessel harvesting device to be operative to axially articulate with respect to the vessel harvesting device; and

a first opening in a distal end of the apparatus, wherein at least one of the top and bottom portions is adapted to separate the harvested vessel from surrounding tissue.

23. (Original) The apparatus for an endoscopic vessel harvesting device according to claim 22, wherein one of the top and bottom portions is rigidly attached to the vessel harvesting device.